

2013 No. 2184

ROAD TRAFFIC

**The Motor Vehicles (Driving Licences) (Amendment) (No.3)
Regulations 2013**

<i>Made</i>	- - - -	<i>2nd September 2013</i>
<i>Laid before Parliament</i>		<i>6th September 2013</i>
<i>Coming into force</i>	- -	<i>7th October 2013</i>

The Secretary of State for Transport, in exercise of the powers conferred by sections 101(2) and (3) and 105(1), (2)(a) and (3) of the Road Traffic Act 1988(a), makes the following Regulations.

In accordance with section 195(2) of the Road Traffic Act 1988 the Secretary of State has consulted with representative organisations.

Citation and commencement

1.—(1) These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) (No. 3) Regulations 2013.

(2) These Regulations come into force on 7th October 2013.

Amendment of minimum ages for holding or obtaining licences

2.—(1) Regulation 9 of the Motor Vehicles (Driving Licences) Regulations 1999(b) (minimum ages for holding or obtaining licences) is amended as follows.

(2) For paragraph (4) substitute—

“(4) In item 5, the age of 16 is substituted for the age of 17 in the case of a small vehicle driven without a trailer attached where the driver of the vehicle is a person —

- (a) who fulfils the requirements set out in paragraph (4A); or
- (b) who is in receipt of personal independence payment under Part 4 of the Welfare Reform Act 2012(c) which includes the mobility component at the enhanced rate in pursuance of section 79 of that Act.”.

(a) 1988 c. 52. For the definition of “prescribed” see sections 108(1) and 192(1) of the Road Traffic Act 1988, and for the definition of “regulations” see section 108(1) of that Act.

(b) S.I. 1999/2864, amended by S.I. 2012/977; there are other amending instruments but none is relevant.

(c) 2012 c. 5.

(3) After paragraph (4) insert—

“(4A) The requirements referred to in paragraph (4)(a) are—

- (a) the person has received an award of the higher rate component of the disability living allowance made in pursuance of section 73 of the Social Security Contributions and Benefits Act 1992^(a); and
- (b) the award mentioned in sub-paragraph (a) was in force immediately before the 16th birthday of that person; and
- (c) the person has made a claim for personal independence payment under Part 4 of the Welfare Reform Act 2012.”.

Signed by authority of the Secretary of State for Transport

Stephen Hammond
Parliamentary Under Secretary of State
Department for Transport

2nd September 2013

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 9 (minimum ages for holding or obtaining licences) of the Motor Vehicles (Driving Licences) Regulations 1999 (S.I. 1999/2864).

The amendment provides that the minimum age for holding or obtaining a licence for a small car driven without a trailer is 16 for persons in receipt of the mobility component at the enhanced rate of the allowance known as personal independence payment (introduced in April 2013 by the Welfare Reform Act 2012).

Recipients of the higher rate component of the disability living allowance (DLA) will also benefit from the entitlement to hold or obtain a driving licence aged 16 provided that they comply with the three requirements set out in new paragraph (4A) of regulation 9. These are that a person has received an award of the higher rate component of DLA, that the award was in force immediately before their 16th birthday and that they have made a claim for PIP (whether or not an award of PIP is subsequently made).

An impact assessment has not been produced for this instrument as no impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum is available alongside the instrument on the website <http://www.legislation.gov.uk>.

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^(a) 1992 c .4.

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